REMARKS

1.   Claims 1-36 are now in the application. In the previous Office Action claims 1-34 were rejected for various reasons under 35 U.S.C. §112. The claims were indicated to be allowable, however, if rewritten to overcome the rejections therein. New claims 35 and 36 depend from allowable claims 22 and 34.

2.   Claim 1 has now been rewritten. The step of "providing a trunk" that has a plurality of communication ports, is now separate from the step of "coupling the plurality of communication ports" to a switch. Those steps are also now separate from the step of "assigning ownership" of the plurality of communication ports to a virtual network device.

It should thus now be clear that "ownership" of the plurality of communication ports is assigned to the virtual network device.

Claim 3 has been amended in the same manner as claim 1.

Regarding claim 4, the recitation of "the data packet" was a reference to the same data packet in line 10 of the claim. The claimed step of "examining the contents of the owner field" in the virtual device structure, is examining the same virtual device structure that is allocated to the communication port that receives the data packet. Thus, the suggestion of the Examiner in this regard has been appreciated and adopted by the Applicants.

Claim 6 indeed recites a plurality of communication ports. However, this claim involves a method for selecting which one of the plurality of communication ports will be used for transmitting the data packet, and specifically, making that selection as a result of an exclusive or operation on two addresses. It is believed that claim 6 is now clear, given the amendment to claim 1.

Regarding the comment on line 5 of the original claim 4, it was indeed the "virtual device structure" to which the claim should refer. An amendment has been made, accordingly, to clarify this.

Claim 12 has been amended to now make it clear that (a) the network addresses for the plurality of communication ports are set to the trunk network address, and (b) that the virtual network address, which is assigned to the virtual device, is also set to the same trunk network

address. In addition, it should be now clear that the owner routine selects the virtual device that is associated with the trunk network address for the received data packet.

Claim 14 has been amended in a manner that is similar to claim 12. Namely, (a) the network addresses for the plurality of communication ports are set to the trunk network address, and (b) a virtual network address for the virtual device is also set to the trunk network address. In addition, the owner routine selects the virtual device associated with the trunk network address.

An amendment has been made to the second to last line of claim 14 to refer to "the virtual device" instead of the "virtual network device", in order to be consistent with line 3 of claim 14.

Claim 22 has been amended to recite, simply, that a second plurality of communication ports coupled to a second switch has their ownership assigned to a second virtual device, and that ownership of the virtual network device and the second virtual network device is assigned to a third virtual network device.

New claim 35 depends from previous claim 22 and adds a notion that was previously part of claim 22. Namely, that the trunk configurator routine further sets a failsafe network address to the trunk network address, and also sets the virtual network address assigned to the virtual network device to that same failsafe network device address. It is believed that by splitting claim 22 in two parts it is now more understandable.

Claim 23 has been amended to refer to a "virtual network device" in line 7-8. It thus should now be allowable.

Claim 24 has been amended to make it clear that the "means for forwarding" is forwarding a received data packet that was originally addressed to the trunk network address. In addition, it is now clearer that the received data packet is forwarded to the virtual network device.

The "means for setting a trunk network address" in both claims 24 and 26 has been amended in an analogous manner to the amendments made to claims 1 and 3. This is to clarify how the invention sets the addresses for the plurality of communication ports and the virtual network address assigned to the virtual network device.

As to claim 27, with the amendment thereto, it is now believed it is clear that the pointer stored in the owner field is that same pointer that was the subject of the previous "means for examining" step (i.e., it refers to the pointer that is in the owner field in the device structure allocated to the same communications port that receives the data packet).

The amendment also splits claim 34, with portions remaining in claim 34 and other portions in new dependent claim 36. It is believed to now be clear that ownership of the virtual network device and the second virtual network device is assigned to a third virtual network device.

New claim 36 also makes it clear that the failsafe network address is set to the trunk network address and that a virtual network address assigned to the virtual network device is also set to the failsafe network device address.

3.   The Examiner also believed there was insufficient antecedent basis for several limitations in the claims under 35 U.S.C.§ 112. We trust the above amendments correct these problems.

In claim 11, the recitation of "a third network address" in lines 7-8 was an error and should have been a reference to the "failsafe network device address".

Claim 14, at line 13, has been amended to refer to "the virtual device" instead of "the virtual network device." This makes that portion of the claim consistent with the earlier recitation of "virtual device" at line 3.

Also claim 14, at line 14, the claim now refers to "an owner field." There is now also antecedent basis for the recitation of the device structures allocated for the plurality of communication ports in lines 14-15.

Claim 22 has been amended to clarify and/or remove the limitations regarding a third network address, failsafe network device addresses, and third virtual network devices. Claim 22 should thus be allowable.

New claim 35 is believed to properly recite the relationship between (a) setting the failsafe network device address to the trunk network address, and (b) setting the virtual network

address (which is assigned to the virtual network device) to the same failsafe network device address.

Claim 23 has been amended to now recite "a virtual network device".

Claim 24 has been amended in a manner that is consistent with the changes made to claims 1 and 3 regarding the means for setting a trunk network address. It is thus believed that this claim is in condition for allowance.

Similar amendments were made to claim 26 regarding the means for setting a trunk network address in claim 26. It is believed that the device structure referred to in lines 17-18 is clearly a reference back to the "device structure" recited in the means for allocating a pluralized device structures back in lines 13-14.

Regarding claim 34, there is now a positive recitation of the means for assigning and the reference to a third network address and the virtual network address to the failsafe network device address. Lines 10 and 11 have been deleted. The new claim 36, which depends from claim 34, is believed to be clearly understandable in this regard.

4.   Claims 1, 3, and 8 were also considered to have omitted "essential structure indicating cooperative relationships of elements." With the amendment to lines 5-6 of claim 1 it is now clear that the trunk network address is set to a first network address. That network address need not be, in fact should not be, the same network address as assigned to the plurality of communication ports that make up the trunk. A similar amendment has also been made to claims 3 and 8.

5.   We also thank the Examiner for his consideration of our previous arguments filed April 28, 2005. In response hereto Applicant has now amended claim 1 at lines 12-13 to make it clearer that indeed the claim is intended to cover the steps of:

a) setting network addresses for the plurality of communication ports; and

b) setting a virtual network address assigned to the virtual network device to the trunk network address.

We have also carefully considered all of the claims regarding the recitation of network addresses, first, second and third network addresses, with network devices and virtual network addresses. We have tried to keep any recitation of "network addresses" distinct from the "trunk network addresses" and avoiding any further antecedent basis problems.
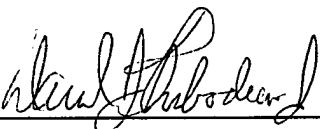
If any further suggestions can be made by the Examiner in these regards we would be appreciative of the same.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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